PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Applicant: CONNER Scott Eugene   Group Art Unit: 1626

Serial No.: 10/596322   Examiner:

Application Date: December 16, 2004   Conf No.: 5343

US Nat'l Entry Date (if applicable): June 9, 2006

For: BICYCLIC DERIVATIVES AS PPAR MODULATORS
Docket No.: X-16589

SECOND AMENDMENT UNDER 37 C.F.R. 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Introductory Comments

Applicants hereby request amendment of the above-captioned application, prior to any action on the merits, to place the application in compliance with 37 CFR 1.265(e)(2) prior to November 1, 2007.

Applicants respectfully request that any refund due for cancellation of claims be paid to Eli Lilly and Company deposit account number 05-0840. Likewise, any fees that may be due in association with this amendment should be charged to Eli Lilly and Company deposit account number 05-0840.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper. This listing of the Claims shall replace all previous versions of the claims. Applicants submit that the amended claims include only 1 independent claim and 19 dependent claims for a total of 20 claims. Applicants believe that there are no claims having multiple dependencies. Applicants maintain that the present application is now in compliance with 37 CFR 1.265(e)(2). Entry of the amendments prior to any action on the merits is respectfully requested.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper. Applicants request cancellation of Claims 50, 51, 55, and 58 through 64. This listing of the claims hereby replaces all previous versions.